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October 9, 2020

VIA ECF

Hon. Paul A. Engelmayer
United States District Judge
United States Courthouse
40 Foley Square, Room 2201
New York, NY10007

Re: Kenneth Hall v. RCPI 600 Fifth Holdings, L.L.C.
Case No.: 20 Civ. 07560 (PAE)
Our File No.: 21122.00148

Dear Judge Engelmayer:

We represent the defendant, RCPI 600 Fifth Holdings, L.L.C. ("RCPI"). There are no other defendants in the above-referenced matter. This action was removed within 30 days after RCPI was served on the grounds of diversity jurisdiction since plaintiff is a citizen of Canada and RCPI is a Delaware limited liability company. With the consent of plaintiff's counsel, we respectfully request that the initial conference scheduled for October 16, 2020 be adjourned to a date during the week of November 16, 2020, except not on November 19, 2020. We have requested that plaintiff discontinue this action against RCPI since it is an improper party. RCPI did not maintain the subject skating rink located at Rockefeller Center where plaintiff, Kenneth Hall's alleged accident occurred. Rather, a non-party, The Patina Restaurant Group, Inc., was responsible for the maintenance of the rink pursuant to a lease agreement. In the event plaintiff discontinues the action and commences a subsequent action against the proper party, it would be unnecessary for the parties to appear for the conference and engage in discovery.

In addition, the parties request a two week extension of time from October 13, 2020 until October 27, 2020 to file a joint letter and an initial Civil Case Management Plan and Scheduling Order.

This is the first request for an adjournment of the initial conference and an extension of time to file the joint letter and Civil Case Management Plan and Scheduling Order (see, DE # 6). Thank you for your consideration.

Respectfully submitted,

Wilson Elser Moskowitz Edelman & Dicker LLP

A handwritten signature in black ink, appearing to read "Jacqueline Hattar".

Jacqueline Hattar

JH/me

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cc: (Via Email & ECF)
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Granted. The initial pretrial conference presently scheduled for October 16, 2020 at 2:30 p.m. is rescheduled for November 18, 2020 at 2:00 p.m. Parties' joint letter and proposed case management plan are due November 13, 2020.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

October 13, 2020